

Remarks:

Reconsideration of the application is requested.

Claims 1-3, 5, and 7-11 are now in the application. Claims 1, 8, and 9 have been amended. A marked-up version of the claims is attached hereto on separate pages. Claim 4 has been cancelled. Claims 10 and 11 have been added. Furthermore, a rejoinder is requested for amended claim 8, which was previously withdrawn.

In item 2 on page 2 of the above-identified Office action, claims 1-5 and 9 have been rejected to as being indefinite under 35 U.S.C. § 112.

More specifically, the Examiner has stated that in claim 1, lines 11-13, the recitation "said adjustable diameter portion adjusting the desired cutoff length of the signatures" renders the claim vague and indefinite, particularly as to what claimed structure provides such a function, and it seems that "said adjustable diameter portion" should be changed back to --for-- or the like. The claim has been amended so as to facilitate prosecution of the application, and therefore, the rejection is now moot.

The Examiner also stated that in claim 4, lines 2-3, the recitation "each mounted to" renders the claim vague and indefinite, particularly since it seems that the gripper and tucking blade are each part of the transfer cylinder and it's not clear how they can be both part of and mounted to the transfer cylinder. The claim has been amended so as to facilitate the prosecution of the application, and therefore, the rejection is now moot.

Furthermore, the Examiner stated that in claim 9, lines 11-14, the recitation "said adjustable diameter portion adjusting the desired cutoff length of the signatures by selectively shortening and lengthening the circumferential region carrying the ribbon" renders the claim vague and indefinite, particularly as to what claimed structure provides such a function, and it seems the "said adjustable diameter portion" should be changed to --for-- or the like. The claim has been amended so as to facilitate the prosecution of the application, and therefore, the rejection is now moot.

It is accordingly believed that the specification and the claims meet the requirements of 35 U.S.C. § 112, first and second paragraphs. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic or

clarificatory reasons. The changes are not provided for overcoming the prior art nor for any reason related to the statutory requirements for a patent.

In item 5 on page 4 of the Office action, the Examiner stated that claims 2-4 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112 set forth in this Office action, and to include all of the limitations of the base claim and any intervening claim. Independent claims 1, 8, and 9 have been amended to include the subject matter of claim 4, and should therefore be allowable. New independent claim 10 corresponds to a combination of claim 1 and claim 2, and should therefore be allowable. New independent claim 11 corresponds to a combination of claim 1 and claim 3, and should therefore also be allowable.

Since only allowable claims remain, the early issuance of a Notice of Allowance is solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

Additional independent claims have been added, enclosed herewith is the fee of \$160 for 2 additional independent claims.

Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner & Greenberg P.A., No. 12-1099.

Respectfully submitted,



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Marked-up version of the claims:

Claim 1 (third time amended). A variable length cutting device, comprising:

a rotary cutter;

a transfer cylinder cooperating with said rotary cutter for cutting a ribbon into signatures having a desired cutoff length, said transfer cylinder having a central cylinder axis, [and] a circumferential region, and including a gripper and a tucking blade disposed in said circumferential region at a fixed distance from said central cylinder axis; and

an adjustable diameter portion disposed between said gripper and said tucking blade in said circumferential region of said transfer cylinder, said adjustable diameter portion being movable in a direction toward and away from said central cylinder axis[, said adjustable diameter portion] for adjusting the desired cutoff length of the signatures.

Claim 8 (amended). A variable length cutoff folder, comprising:

[a cutting cylinder] a rotary cutter;

a transfer cylinder configured to cooperate with said [cutting cylinder] rotary cutter for cutting a ribbon into signatures having a desired cutoff length, said transfer cylinder having a central cylinder axis and a circumferential region;

an adjustable diameter portion disposed in said circumferential region of said transfer cylinder, said adjustable diameter portion connected to said transfer cylinder and being movable in a direction toward and away from said central cylinder axis for adjusting the desired cutoff length of the signatures;

a jaw cylinder having a cylinder jacket and a jaw provided on said cylinder jacket; and

a gripper and a tucking blade provided in said circumferential region of said transfer cylinder at a fixed distance from said cylinder axis, cooperating with said jaw for folding the signatures into said jaw, and said adjustable diameter portion being located between said gripper and said tucking blade.

Claim 9 (amended). A variable length cutting device, comprising:

a rotary cutter;

a transfer cylinder cooperating with said rotary cutter for cutting a ribbon into signatures having a desired cutoff length, said transfer cylinder having a central cylinder axis, [and] a circumferential region carrying the ribbon during a cutting operation, and including a gripper and a tucking blade disposed in said circumferential region at a fixed distance from said central cylinder axis; and

an adjustable diameter portion disposed between said gripper and said tucking blade in said circumferential region of said transfer cylinder, said adjustable diameter portion being movable in a direction toward and away from said central cylinder axis[, said adjustable diameter portion] for adjusting the desired cutoff length of the signatures by selectively shortening and lengthening the circumferential region carrying the ribbon.